

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY  
AVERAGE WHOLESAL PRICE LITIGATION

THIS DOCUMENT RELATES TO  
  
ALL ACTIONS

MDL No. 1456

CIVIL ACTION: 01-CV-12257-PBS

Judge Patti B. Saris

**PLAINTIFFS' UNOPPOSED MOTION TO FILE REPLY IN SUPPORT OF THEIR  
SECOND MOTION TO COMPEL AGAINST AMGEN INC.**

Plaintiffs respectfully move the Court for permission to file reply papers in support of their second motion to compel against Amgen Inc. ("Amgen"). These papers consist of the Reply Memorandum in Support of Plaintiffs' Second Motion To Compel Production by Amgen Inc., together with the Supplemental Declaration of Steve W. Berman in Support of Plaintiffs' Second Motion To Compel Production by Amgen Inc., both of which are submitted contemporaneously with this motion.

Plaintiffs submit that the importance of the issues raised by their pending motion, as well as the need to reply to contentions made by Amgen in its response papers, justify submittal of a reply. Plaintiffs also believe that their reply will aid the Court in deciding their motion.

Counsel for plaintiffs has contacted counsel for Amgen in advance of submitting this

motion, and counsel for Amgen has advised that Amgen does not oppose the filing of plaintiffs' reply.

DATED: March 17, 2006

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**CERTIFICATE OF SERVICE BY LEXISNEXIS FILE & SERVE**

Docket No. MDL 1456

I, Steve W. Berman, hereby certify that I am one of plaintiffs' attorneys, and that on March 17, 2006, I caused copies of **PLAINTIFFS' UNOPPOSED MOTION TO FILE REPLY IN SUPPORT OF THEIR SECOND MOTION TO COMPEL AGAINST AMGEN INC.** to be served on all counsel of record by causing same to be posted electronically via Lexis-Nexis File & Serve.

**/s/ Steve W. Berman**

Steve W. Berman